

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

ERIC MARTIN MATTHEWS,

§

Plaintiff,

§

v.

1:20-CV-371-RP

WARDEN S. MA'AT,

§

Defendant.

§

**ORDER**

Before the Court is the report and recommendation of United States Magistrate Judge Mark Lane concerning Eric Martin Matthews's ("Matthews") Application for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241, (Dkt. 1), and related briefing, (Dkts. 14, 15). (R. & R., Dkt. 19). In his report and recommendation, Judge Lane recommends that the Court dismiss without prejudice Matthews's Application and deny Matthews's motions to stay the case or extend his responsive deadlines. (*Id.* at 19). Matthews timely filed objections to the report and recommendation. (Objs., Dkts. 22, 23).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Matthews timely objected to each portion of the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so, the Court overrules Matthews objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Mark Lane, (Dkt. 19), is **ADOPTED IN PART**. This Court **DISMISSES WITHOUT PREJUDICE** Matthews's Application of Writ of Habeas Corpus Pursuant to 28

U.S.C. § 2241, (Dkt. 1). The Court previously resolved Matthews's Motion for Extension of Time, (Dkt. 17). (Text Order, 9/18/20). In light of that previous order and this order, the Court **MOOTS** Matthews's Motion to Stay Case, (Dkt. 12), and Motion for Extension of Time, (Dkt. 18).

The Court will enter final judgment by separate order.

**SIGNED** on December 2, 2020.



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ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE